

Order Adopting Rules
for Motions for Appropriate Relief in Capital Cases

Pursuant to the authority of N.C.G.S. § 7A-34, the General Rules of Practice for the Superior and District Courts are amended by the adoption of a new Rule 25.

Rule 25. Motions for Appropriate Relief in Capital Cases.

When considering motions for appropriate relief in capital cases, the following procedures should be followed:

- (1) All appointments of defense counsel should be made by the senior resident superior court judge in each district or the senior resident superior court judge's judicial designee;
- (2) All requests for experts, *ex parte* matters, interim attorney fee awards, and similar matters arising prior to the filing of a motion for appropriate relief should be ruled on by the senior resident superior court judge or the senior resident superior court judge's designee; and
- (3) All motions for appropriate relief, when filed, should be referred to the senior resident superior court judge or the senior resident superior court judge's designee for the judge's review and administrative action, including, as may be appropriate, dismissal, calendaring for hearing, entry of a scheduling order for subsequent events in the case, or other appropriate actions.

Adopted by the Court in Conference this 7th day of May, 1998. This amendment shall be promulgated by publication in the advance sheets of the Supreme Court and the Court of Appeals and shall be effective 1 June 1998.

Orr, J.

For the Court